

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	2:20-cr-00175-1
	:	
	:	
v.	:	
	:	
DEVIN MONTGOMERY,	:	
	:	HONORABLE CHIEF JUDGE
DEFENDANT.	:	MARK R. HORNAK

MOTION FOR LEAVE TO WITHDRAW
AS COUNSEL TO DEFENDANT

AND NOW, comes the Defendant Devin Montgomery, by and through his counsel, Michael J. DeRiso and DeRiso, DeRiso, Suher & Jeffries, LLC, who file on his behalf this Motion For Leave To Withdraw as Counsel to Defendant, as follows:

1. Defendant is charged by Superseding Indictment (ECF 62) with one count of Malicious Destruction or Damage by Fire of Vehicle of Organization receiving Federal Financial Assistance, in violation of 18 U.S.C. § 844(f)(1) and one count of Bank Burglary, in violation of 18 U.S.C. §§ 2 and 2113(a).

2. Defendant was not detained and was on pre-trial supervision, however, he violated the terms and conditions of his pre-trial supervision by cutting off the electronic monitor and absenting himself from his residence. He eventually surrendered to authorities and is currently detained in the Allegheny County Jail.

3. Counsel and the Government have been working diligently to arrive at a disposition short of trial in this matter, however, Defendant has indicated (in no uncertain terms) and directed counsel to file various non-meritorious motions and then proceed to trial – which is contrary to the advice of counsel.

4. The relationship between counsel and the Defendant has deteriorated to the point where civil discourse and discussion to achieve a beneficial outcome are impossible.

5. Accordingly, counsel respectfully requests that the Court permit him to withdraw as counsel to the Defendant.

WHEREFORE, counsel respectfully requests that the court issue an Order permitting counsel to withdraw, effective immediately.

DeRISO, DeRISO, SUHER & JEFFRIES

/s/ Michael J. DeRiso

MICHAEL J. DERISO, ESQUIRE

July 21, 2021

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